

suffered injuries to his wrists, including without limitation, a fracture of the scaphoid bone in the right wrist which required and continues to require medical treatment.

FIRST CLAIM

18. Pursuant to Rule 10(c), Plaintiff repeats and realleges each and every allegation of paragraphs 1 through 17 of the Amended Complaint as if incorporated and reiterated herein.

19. The actions of BERRIOS, DOE and FYFFE against Plaintiff, constituted the use of excessive and unnecessary force in the performance of their police duties.

20. By reason thereof, Defendants caused Plaintiff to suffer physical injuries, emotional distress, mental anguish, economic damages and the loss of his constitutional rights.

SECOND CLAIM

21. Pursuant to Rule 10(c), Plaintiff repeats and realleges each and every allegation of paragraphs 1 through 20 of the Amended Complaint as if incorporated and reiterated herein.

22. Defendants BERRIOS, DOE and FYFFE, by using excessive force in the performance of their police duties, violated Plaintiff's rights under the Fourth, Eighth and Fourteenth Amendments of the United States Constitution under color of law.

23. By reason thereof, Defendants violated 42 U.S.C. §1983 and caused Plaintiff to suffer physical injuries, emotional distress, mental anguish and the loss of his constitutional rights.